

LABOR SERVICES DIVISION[875]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 89.14, the Boiler and Pressure Vessel Board hereby gives Notice of Intended Action to amend Chapter 90, “Administration of the Boiler and Pressure Vessel Program,” and Chapter 91, “General Requirements for All Objects,” Iowa Administrative Code.

Pursuant to Iowa Code subsection 89.14(7), the Boiler and Pressure Vessel Board is required to review every three years all administrative rules adopted by the Board. Most of the items in this Notice of Intended Action are a result of that review.

The purposes of these amendments are to make the rules more current, improve record keeping to make sure that repairs are performed safely, make the rules clearer, protect the safety of the public, and implement legislative intent. Adopting rules that are consistent with current industry standards allows installation of the most recent technologies in Iowa.

If requested in accordance with Iowa Code section 17A.4(1)“b” by the close of business on January 13, 2015, a public hearing will be held on January 14, 2015, at 9 a.m. in the Capitol View Room at 1000 East Grand Avenue, Des Moines, Iowa. Interested persons will be given the opportunity to make oral statements and file documents concerning the proposed amendments. The facility for the oral presentations is accessible to and functional for persons with physical disabilities. Persons who have special requirements should call (515)281-5915 in advance to arrange access or other needed services.

Written data, views, or arguments to be considered in adoption shall be submitted by interested persons no later than January 14, 2015, to the Division of Labor Services, 1000 East Grand Avenue, Des Moines, Iowa 50319-0209. Comments may be sent electronically to kathleen.uehling@iwd.iowa.gov.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code chapter 89.

The following amendments are proposed.

ITEM 1. Rescind the definitions of “Blowoff valve” and “Reinstalled boiler or pressure vessel” in rule **875—90.2(89,261,252J,272D)**.

ITEM 2. Adopt the following new definition of “Reinstallation” in rule **875—90.2(89,261,252J,272D)**:

“*Reinstallation*” means the process of disconnecting an object, moving it, and reconnecting it at the same location or a new location.

ITEM 3. Amend subrule 90.6(1) as follows:

90.6(1) General. All boilers and unfired steam pressure vessels covered by Iowa Code chapter 89 shall be inspected according to the requirements of the National Board Inspection Code (~~2011~~) (2013), which is hereby adopted by reference. A division inspector or special inspector must perform the inspections.

ITEM 4. Amend rule 875—90.8(89) as follows:

875—90.8(89) Certificate. No boiler or pressure vessel shall be operated without a current, valid certificate to operate. A certificate to operate shall not be issued until the boiler or pressure vessel is in compliance with the applicable rules and all fees have been paid. The current certificate to operate or a copy of the current certificate to operate shall be conspicuously posted in the room where the object is installed.

ITEM 5. Amend subrule 91.1(1), introductory paragraph, as follows:

91.1(1) *ASME boiler and pressure vessel codes adopted by reference.* The ASME Boiler and Pressure Vessel Code (~~2010 with 2011a addenda~~) (2013) is adopted by reference. Regulated objects shall be designed and constructed in accordance with the ASME Boiler and Pressure Vessel Code (~~2010 with 2011a addenda~~) (2013) except for objects that meet one of the following criteria:

ITEM 6. Amend subrule 91.1(3) as follows:

91.1(3) *Inspection code adopted by reference.* The National Board Inspection Code (~~2011~~) (2013) is adopted by reference, and reinstallations, installations, alterations, and repairs after ~~October 10, 2012~~ April 22, 2015, shall comply with it.

ITEM 7. Amend subrule 91.1(4) as follows:

91.1(4) *Electric code adopted by reference.* The National Electrical Code (~~2008~~) (2011) is adopted by reference, and reinstallations and installations after ~~January 1, 2010~~ April 22, 2015, shall comply with it.

ITEM 8. Amend subrule 91.1(5) as follows:

91.1(5) *Piping codes adopted by reference.* The Power Piping Code, ASME B31.1 (~~2007~~), ASME B31.1a (~~2008~~), and ASME B31.1b (~~2009~~) (2014), and the Building Services Piping Code, ASME B31.9 (~~2008~~) (2014), are adopted by reference, and reinstallations and installations after ~~April 14, 2010~~ April 22, 2015, shall comply with them up to and including the first valve.

ITEM 9. Amend subrules 91.1(7) to 91.1(11) as follows:

91.1(7) *Mechanical code adopted by reference.* Excluding Section 701.1, Chapters 2 and 7 of the International Mechanical Code (IMC) (~~2009~~) (2012) are adopted by reference ~~effective January 1, 2010~~, and installations and reinstallations after April 22, 2015, shall comply with them.

91.1(8) *Oil burning equipment code adopted by reference.* National Fire Protection Association Standard for the Installation of Oil Burning Equipment, NFPA 31 (2011), is adopted by reference, and installations and reinstallations after October 10, 2012, shall comply with it.

91.1(9) *Fuel gas code adopted by reference.* National Fire Protection Association National Fuel Gas Code, NFPA 54 (~~2009~~) (2012), is adopted by reference, and installations and reinstallations after May 1, 2015, shall comply with it.

91.1(10) *Liquefied petroleum gas code adopted by reference.* National Fire Protection Association Liquefied Petroleum Gas Code, NFPA 58 (2011), is adopted by reference, and installations and reinstallations after October 10, 2012, shall comply with it.

91.1(11) *Boiler and combustion systems hazards code adopted by reference.* National Fire Protection Association Boiler and Combustion Systems Hazards Code, NFPA 85 (2011), is adopted by reference, and installations and reinstallations after October 10, 2012, shall comply with it.

ITEM 10. Rescind rule 875—91.20(89) and adopt the following **new** rule in lieu thereof:

875—91.20(89) CSD-1 reports and related documentation. Documentation required by this rule shall be kept on site and shall be available for inspection.

91.20(1) The requirements of this rule do not apply to:

- a. An object within the scope of 875—Chapter 95;
- b. An object within the scope of 875—Chapter 96;
- c. A hot water supply boiler covered by ASME Section IV, Part HLW; or
- d. A boiler with a fuel input rating greater than or equal to 12,500,000 Btu per hour, falling within the scope of NFPA 85, Boiler and Combustion Systems Hazards Code.

91.20(2) The installer shall complete a Manufacturer's/Installing Contractor's Report for ASME CSD-1 (CSD-1 report) for each newly installed or reinstalled object.

91.20(3) A person who installs a new burner, new gas train, or new controller on an object shall complete a CSD-1 report.

91.20(4) A person who replaces a part or component of an object shall complete the relevant portions of the CSD-1 report unless the replacement satisfies the design specifications. A copy of an invoice containing the same information as the relevant portions of the CSD-1 report is an acceptable alternative.